

Remarks / Arguments

Report of the amendments to the claims

I have rewritten the first claim and made the invention definition more accurate so that I can line by line provide the argumentation and show the indisputable novelty of my invention, see the argumentation below. I have especially emphasized that my invention performs an on-demand remote identity check on a specially established independent identification of the web content, what is used as a preferred method of processing rather than processing said web content as such (novel method); that said check is a remote service which needs a special service request (novel architecture); that said check is performed by a third-party remote examiner host computer apart from the client – web content host connection (novel architecture); that said identification is delivered for the check without the pertinent web content, in response to a client direct request to receive the web content from the network (novel feature); and that the examiner host computer returns feedback on the basis of said check according to which appropriate action is taken (in response to a special remote request, novel feature).

Claim 28 was amended and written anew. Claims 30 and 32 were cancelled. Claims 47 to 54 were added, of those the claims 49, 50 and 54 are independent. Claim 29 was stricken through and written over as to retain the chain of dependency between the first claim and its dependent claims. Claims 31 (line 2), 36 (line 3) and 41 (line 3) were corrected for petty errors. Claims 31 (line 1), 33 (line 1) and 39 (line 1) were corrected for the claim reference. Claim 35 (line 2) was corrected for language. Claims 45 and 46 were written anew.

I have voluntarily made the first claim highly specified, so the new independent claims and related dependent claims are necessary to have adequate claim coverage for my invention, as they present three novel variations of the novel architecture of the first claim. I have enclosed a cheque in this submission to cover the fees for extra claims.

Patentability arguments

I have rewritten the first claim (claim 28) anew to simply and clearly emphasize the novelty of my invention, below is a list of differences with earlier inventions:

The first claim's text now says "performing an on-demand remote identity check on a specially established tiny-sized independent identification of the web content", determining the identity based on the identification, what means also verifying the identity of the identification.

The Hypponen invention's (US Pub. No. 20030191957) file extension filtering is only for file filtering purpose, not for identifying the downloaded file, or for verifying the identity of the file extension, which would be practically irrational procedures. There is no use of or intention to use file identifications, even less independent file identifications in Hypponen invention. Further, in Hypponen invention the filtering has only a small benefit, and virus scan is essential part of the invention and specifically wanted to be the actual virus detection method, and they are intended to be performed near the client by an intercepting server. In my invention the identity check is an independent process which needs no virus scan, and it happens in a remote location. Hypponen invention scans the files automatically as they arrive, in contrast my invention's identity check is done on demand for each client and for each identification of web content. Therefor Hypponen invention is a distinctly different invention.

The Bates invention (USPN 6,721,721) web link “identification” checking feature is a local procedure performed automatically on the search result web links by the search engine server, it is not intended to be used remotely on demand as such, and it is used on the web content which the client has not specifically chosen to download yet. Therefor Bates invention is a distinctly different invention.

The Bates2 invention (USPN 6,785,732) procedures like the dangerous web site and dangerous web link detection feature are local procedures performed by an intercepting server near the client automatically for the web content / files as they arrive, thus not remote procedures and not performed on demand. Further, Bates2 invention doesn’t have specially established independent identifications for the downloaded web content. Therefor Bates2 invention is a distinctly different invention.

The first claim’s text now says “...what is used as a preferred method of processing rather than processing said web content as such”, the remote identity check and the independent processing of the independent identification is a specifically wanted preferred alternative to processing the web content as such. Thus the web content is not processed as such as a preferred method of inspection, like scanned for viruses.

The Hypponen invention is based on processing the files as such as a preferred processing method, whether the files are filtered or scanned. Further, Hypponen invention processes / scans entire files as a preferred inspection method. Further, there is no preferred alternative for the virus scan in Hypponen invention. Therefor Hypponen invention is a distinctly different invention.

The independent processing of an independent identification is not an artificial trick to differentiate my invention, but a genuine novel technique which facilitates the otherwise impossible idea of remote processing for large amounts of client downloaded web content. The independent processing of an independent identification introduced in my invention brings massive savings in used processing time, processing power and network transfer bandwidth in contrast to sending whole files to be inspected remotely, and also in contrast to the traditional local virus scanning. The remote processing of the independent identification in my invention is not either any artificial trick, as clearly pointed out in my application, the remote processing is the only rational way and a very effective one to achieve instantaneous full coverage of up-to-the-minute inspection for all clients when a new type of virus is reported, and to achieve minimal time it is taken from reporting the finding of a new virus type to updating the inspection procedure. In my invention the independent processing of an independent identification is a specifically wanted preferred alternative for the virus scan, therefor there is no sense to compare my invention with technologies which perform traditional virus scanning.

The first claim’s text now says “said identification is a data object which is based on certain property(ies) of said web content so that a unique representation of the identity of said web content is established”, the identification is an independent data object based on certain properties of the web content which uniquely identify the web content.

As already noted, there is no use of or intention to use file identifications, even less independent file identifications in Hypponen invention.

My invention uses an identification which is an independent data object uniquely identifying the web content. The application text and the claim text clearly points out, even before this amendment, that the identification is a processable data object which identifies the pertinent web content. The examiner is violating good examination practise rules in denying the validity of such object as a part and as a means of laying out the claim description of the claimed novel invention.

The first claim's text now says "said identity check is performed by an examiner host in response to a remote service request", the checking is a remote service.

As already noted, there is no identity check in the Hypponen invention, and neither any remote service request. Hypponen invention runs a local automatic process, it is not a requested remote service. Therefor Hypponen invention is a distinctly different invention.

The Bates invention web link checking feature is a local automatic procedure performed by the search engine server, there is no special remote service request for that, it is not a specially requested remote service as such. Therefor Bates invention is a distinctly different invention.

The Bates2 invention procedures are local procedures near the client, there is no special remote service request for those. Bates2 invention runs local automatic processes, they are not requested remote services. Therefor Bates2 invention is a distinctly different invention.

The first claim's text now says "said identification is delivered without said web content for said identity check, in response to a client direct request to receive said web content from the network", the identification is delivered and processed separately without the pertinent web content, and that happens by a client direct request of the web content.

As already noted, there is no use or intention to use file identifications, even less independent file identifications in the Hypponen invention; and there is no identity check in Hypponen invention. There is neither any special delivery of a file identification in Hypponen invention; the file is only filtered in the first server according to its file name extension, then the file is relayed to a second server for scanning if needed. Therefor Hypponen invention is a distinctly different invention.

In the Bates invention the web links shown in the search results are already stored in a local search index database which the search engine server queries, they don't have to be delivered in real-time from a remote location. Bates invention search engine server checks a search result web link against a local security details database even though a client has not even decided to access that web link, in fact the Bates search engine server checks several web links against a database before a client chooses to click any of them. **Therefor Bates invention does not do checking in response to a client download request for the web content, but only in response to a prior internet search query submitted to the search engine.** The claim's above phrase rules that in my claimed invention the examiner host computer is actively engaged in the download process, unlike the Bates invention search engine server. Therefor Bates invention is a distinctly different invention.

In the Bates2 invention there is no use of specially established independent identifications for the downloaded web content and neither any delivery of such identifications without the pertinent web content. Therefor Bates2 invention is a distinctly different invention.

The first claim's text now says "the examiner host returns the results of said identity check as a feedback", the identity check service provides feedback.

The Hypponen invention doesn't even have a local identity check service, even less remote and one that would provide feedback to a service request. Therefor Hypponen invention is a distinctly different invention.

The Bates invention web link checking feature is a local automatic procedure performed by the search engine server, it is not intended to be used remotely as such, and it is used on the web content which the client has not specifically chosen to download. In Bates invention there is no special remote identity check service which would be used as such, even less one that would provide feedback to a special service request. Therefor Bates invention is a distinctly different invention.

The Bates2 invention procedures like the dangerous web site and dangerous web link detection feature are local automatic procedures near the client. In Bates2 invention there is no remote identity check service, even less one that would provide feedback to a special service request. Therefor Bates2 invention is a distinctly different invention.

The first claim in line 3 yet emphasizes that “examiner host computer(s) ... are remote third-party computers in the network chosen for that purpose”, the examiner host computer is a third-party computer with respect to the client – host download connection.

Hypponen and Bates2 inventions use an intercepting server which is authorized to interfere with the client downloads and check them, thus no use of a third-party computer. In Bates invention too the search engine server is not genuinely a third-party computer to the client – host connection, because the search engine server facilitates the client virtual access to a web content host and because the search engine server interferes by labeling dangerous search result links.

Conclusion:

As demonstrated above my invention has superior novelty not only in unique technological solutions, but also in their sophisticated unique combination which makes the system’s novel architecture, and the novel methods and features are expressly stated in the first claim. For clarity’s sake the first claim has been extraordinarily strongly differentiated in relation to any prior art technologies, considerably stronger than is needed to prove indisputable novelty. Therefor there is no justification to reject the first claim # 28 and the related dependent claims.

Arguments for the download information system

What I am claiming in my download information system is a special security extension of a basic prior art download register. It is not right that the examiner denies its novelty because of the cited basic framework in the claim which serves only as a platform, no patent examination rules allow bypassing the novelty on the basis of the included technological framework. I have made the claim 45 more accurate and simple, and reduced the framework description. What is now shortly claimed is a method of revising security risk status for client earlier downloaded web content which download details has been recorded in a client-specific download details register administered by a register host computer, the revision being made by the register host computer on the basis of a reiterated updated security check on the same web content. Bates invention contains a method of revising security risk status on certain web links of a search index database which are stored in a security database, that technology is however totally different to my invention which makes a revision for a client earlier downloaded web content which download details are tracked in a client-specific download details register. Bates invention security database is meant to be used locally by the search engine server, it is not client-specific and there is no external client use for it as such. My invention instead is meant to serve multiple external clients, separating each client’s register from each other. Bates invention is meant to inform search engine users about dangerous search result links by highlighting them, my invention is meant to inform download register members about security threats detected afterwards in subsequent updated security checks for the member earlier downloaded web content, this is a distinct contrast in the purposes of use, my invention is a totally different technology in this respect too. What comes to the examiner’s arguments, the question if earlier inventions cite storing collections of identifications has no relevancy, I am not claiming such basic idea. There is no prior art for a register host revising a security risk status for client earlier downloaded web content which download has been tracked in a client-specific download details register.

Conclusion:

The claimed download information system is a specialized system for which there is no prior art, therefor there is no justification to reject the related claims 45 and 46.

Patentability arguments for the new claims

Arguments for the system of claim 49

The system in claim 49 is a variation of the system in claim 28, where the ad-hoc independent identification for the web content is created by the client, and the specific type of identification here is created by selectively extracting data items from the web content or by generating signatures on the basis of selected data of the web content. The system also includes novel features from claim 28, like exclusive delivery of the identification without the pertinent web content, client requested on-demand analysis of the identification performed by a remote examiner host computer, and the examiner host computer providing feedback on the basis of the results of the analysis; the examiner host computer being an independent third-party computer apart from the client – web content host connection (see the detailed arguments for claim 28 earlier above).

As earlier showed, there is no use of identifications, even less independent identifications in Hypponen invention. The differences go even deeper here, there is no use of a client created independent identification in Hypponen invention, even less the specified identification creation method.

As earlier showed, the purpose of use of an identification in Bates invention is clearly different to the purpose of use of an identification in my invention. The differences go even deeper here, there is no use of a client created independent identification in Bates invention, even less the specified identification creation method.

As earlier showed, there is no use of independent identifications in Bates2 invention. The differences go even deeper here, there is no use of a client created independent identification in Bates2 invention, even less the specified identification creation method.

There is no use of a client created independent identification in Hypponen invention and Bates 1&2 inventions, even less the specific creation method claimed herein, and the system claimed herein is based on the same novel architecture as in claim 28 for which undeniable proof of novelty is presented earlier above. There is no prior art for this system. Therefor there is no justification to reject the claim 49.

Arguments for the method of claim 50

The method in claim 50 is a web access control method which uses same type of technology like in claim 28, but it is focused on controlling the client web access. On the basis of a client preparing to access a web-address to receive web content from the network, the client creates an ad-hoc independent identification which contains at least that web-address or a part of that web-address identifying the pertinent host. The method also includes novel features from claim 28, like exclusive delivery of the identification, client requested on-demand identity check on the identification performed by a remote examiner host computer, and the examiner host computer providing feedback on the basis of the results of the identity check; the examiner host computer being an independent third-party computer apart from the client – web content host connection (see the detailed arguments for claim 28 earlier above).

There is no use of a client created independent identification in Hypponen invention and Bates 1&2 inventions, and the method claimed herein is based on the same novel architecture as in claim 28 for which undeniable proof of novelty is presented earlier above. There is no prior art for this method. Therefor there is no justification to reject the claim 50 and the related dependent claims.

Arguments for the method of claim 54

The method in claim 54 is a variation of the architecture in claim 28, where the ad-hoc independent identification for the web content is created by the client or by an intermediate computer capable to intercept data which the client receives from the network. It is especially emphasized that the identification is created for the remote delivery and remote analysis, and that the identification is created on the basis of certain properties of the web content so that a unique representation of the identity of the web content is established. The method therefor includes novel features from claim 28, like exclusive delivery of the identification without the pertinent web content, client requested on-demand analysis of the identification performed by a remote examiner host computer, and the examiner host computer providing feedback on the basis of the results of the analysis; the examiner host computer being an independent third-party computer apart from the client – web content host connection (see the detailed arguments for claim 28 earlier above).

There is no use of a client created, or an intermediate computer created, independent identification in Hypponen invention and Bates 1&2 inventions, even less the specific creation purpose and method claimed herein, and the method claimed herein is based on the same novel architecture as in claim 28 for which undeniable proof of novelty is presented earlier above. There is no prior art for this method. Therefor there is no justification to reject the claim 54.

.....

Protest for the insubstantial basis of rejection

A patent examiner cannot take a role of a creative inventor in the examination, only a role of a “person skilled in the art”

A patent examiner is not allowed to make creative derivations neither creative combinations of prior art, any prior art resemblance has to be able demonstrated as such and as combinations of clearly inter-related technologies which connect and suit to each other as such.

I don't accept the examiner's arguments which extensively describe the earlier patents with the words quoted straight from my application. That mixes the things rather than makes them straight. In addition the examiner tries to reject my invention by mixing incompatible parts of irrelevant technologies from separate patents, which in no way can produce my invention. The method used by the examiner has been trying to show obviousness by disintegrating my invention and searching the individual technologies splintered apart from each other among diverse irrelevant incompatible prior art technologies, what does not produce anything rational from the prior art and is against the international good patent examination practise rules. Generally accepted patent examination rules require the obviousness to be demonstrated with mutually closely related prior technologies that supplement each other as such, and which can be combined as such without contradictions in compatibility, and which as a combination serve no more than the same specific purpose of use as any of the combined parts separately; thus creative combinations don't qualify as a basis for rejection, neither parts of incompatible technologies qualify, neither the combinations qualify which have plurality of parts picked from diverse technologies to provide utility beyond the specifically defined scope of utility of such parts.

The examiner's arguments are not only erroneous, they are clearly omissive of the intended function and utility of my invention's technological constituents. The examiner is practically claiming that my invention's specially requested remote third-party examination for a specially established independent identification of the client requested web content apart from the web content itself, would be the same and serve the same specific purpose of use as the prior art for local use meant automatic filtering of client downloaded files by their file name extension in an intercepting server, or the prior art for local use meant automatic checking of a locally stored search result web link against a local security database, or the prior art for local use meant automatic checking of an intercepted web page's address or link against a local security database. The comparisons are illogical and irrational, I express my utmost protest for this, this is not sound patent examination and does NOT justify rejecting my application's claims.

My invention is a sophisticated and novel system with novel methods; there is no comparable utility, meaningful purpose of use or such harmony and intelligence in the arbitrary inventions the examiner tries to construe from the parts of the earlier inventions. The examiner has failed to demonstrate any straightforward and credible way to come up with my invention from the prior art clumsy and old-fashioned technologies.

I especially reprimand the hastiness of the examiner in closing the examination case and not giving me an adequate chance for counter-argumentation. If the examiner is unwilling or too tired to handle the case I demand a new examiner for the case.

As demonstrated above the examiner has made significant mistakes in the examination, and I strongly reprimand the examiner declaring the Office action as final on so unprofessional grounds. There is no reason to reject my invention which novelty I have indisputably proved. If the examiner cannot show any flexibility in his conduct, I demand a new examiner.

.....